



Lamoine Board of Selectmen

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Minutes – May 12, 2016

Chairman Gary McFarland called the meeting to order at 7:00 PM

Present were: Selectmen Robert Christie, Gary McFarland, S. Josephine Cooper; Administrative Assistant Stu Marckoon, Assistant Code Enforcement Officer Edward “Rick” Gallegos, and Planning Board Chair John Holt. Selectman Kathleen Rybarz had informed the board prior to the meeting that she was unable to attend due to a work conflict.

Agenda – No changes to the printed agenda or addendum were proposed.

Minutes – April 28, 2016 – Jo moved to approve, Gary 2nd. **Vote in favor was 3-0.**

Expenditure Warrant 24 – Selectmen signed the warrant in the amount of \$323,828.14. Stu noted that the school department accounted for roughly \$300,000, as the tuition payment to MDI High School was included. He reported he transferred \$325,000 from the investment management account to the checking account to cover the warrant.

Cash & Budget Reports – Gary noted the town still has \$1.3 million or so in the cash accounts which is a good position to be in with a month and a half left in the fiscal year.

Checking Account Reconciliation – Jo moved to sign the document expressing satisfaction with the review of the checking account reconciliation which was e-mailed to the board prior to the meeting. Gary 2nd. **Vote in favor was 3-0.**

Cell Tower Lease Payment – Stu reported the \$20,000 signing bonus was received and has been distributed into the various account funds as approved by town meeting.

Investment Management Accounts Report – Jo suggested letting the Washington/Hancock Community Agency know that funds are available for heating assistance for town residents. Stu said he would do that.

Guest Mooring Policy – Stu said the suggestion last meeting to incorporate the available dates for use of the guest mooring has been accomplished, using May 1 to October 15 as the “season”. Bob moved to approve the guest mooring policy. Jo 2nd. **Vote in favor was 3-0.** Stu said he would also sign and contact David Herrick for his signature.

Lobster Cars – Gary noted that Harbor Master Herrick has written to two lobster car owners, requesting the cars be moved to a different part of the mooring field for safety reasons. Stu said there has been some pushback to that request and he expected that it might come before the board, but he’s heard nothing for a couple of weeks.

Consent Agreement – Broughman Builders – Stu reported town attorney Diane O’Connell sent an e-mail just prior to the meeting asking if Broughman Builders had complied with the terms of the agreement. Stu said they have not, as no payment has

been received, no internal plumbing hookup permit has been issued, and the Code Enforcement Officer has not performed a final inspection

Gary said Mr. Wight seemed to appreciate the decision by the Board to enter the consent agreement, but he has not yet accomplished his end. He noted that there is still a parking area between the house and the fence, and there should not be an opportunity to park in that area near the road. Jo said there does not appear to be a real effort to resolve this. Bob said that part of the permit should have been taken care of already.

Rick Gallegos said there has been no request for a plumbing inspection, and the application received for the hookup permit was incomplete, so no permit could be issued. Jo noted that this has carried on way past the time certain for compliance. After a brief discussion to clarify what is desired, the board asked that Attorney O'Connell be contacted to lay out the options for the Selectmen to ensure compliance and to do what is necessary to compel Broughman to comply with the consent agreement.

Spring Road Work – Selectmen reviewed a lengthy list of projects around town. Jo said a portion of Marlboro Beach in the vicinity of 131 Marlboro Beach Road had pavement torn up by a private snow plow during the winter and should be replaced. Stu said he would look at that. Gary said that as Road Commissioner, Stu is authorized to make those repairs. Stu said he doubted everything could be fixed by June 1, 2016 and that he would distribute the work between the two in-town contractors and possibly utilize some others if needed.

Special Town Meeting - It was noted that earlier in the week, the Town of Hancock opted to stay with PERC for its trash disposal. Gary asked if Ken Smith would be present at the May 24th meeting. Stu said he met with Mr. Smith earlier in the day who said he would be there.

A brief discussion followed in regard to the meeting format. Selectmen asked Stu to send invitations to both MRC and PERC to the meeting.

John Holt asked if he should attend the meeting to explain the floodplain ordinance adoption. A brief discussion followed.

Appointed Officials – Gary noted that the Board has a list of officials whose terms expire in June. Stu said he would generally reach out to those currently holding the office to see if they wish to continue. Rev. Holt asked about how to let the public know that board seats are expiring. After a brief discussion it was agreed to publicize the openings on the town's website and by other posting means.

Performance Review – Jo said she liked the process used in the past, as long as the employees know the schedule ahead of time. She said the Selectmen should be able to fill out the form ahead of the meeting. Stu noted there would be just four positions to review; his, the town clerk/tax collector, transfer station manager, and the Assistant Code Enforcement Officer/Facilities Maintenance Director. He said he would set up the schedule.

Rev. Holt said the Planning Board would like to offer input into the Code Enforcement Officer's performance review to give feedback. Jo said she wouldn't mind that so long as it doesn't become a political football. After a brief discussion it was agreed that the Planning Board chair could fill out the same sheet that the Board of Selectmen does to provide some feedback.

Contract Renewals – Stu noted that the transfer station manager and town clerk/tax collector work under 1-year terms, and the renewal and terms could be discussed during the performance reviews. He said his contract is for 3-years and this coming year will be year two of that.

Code Enforcement Officer Resignation – Jo moved to accept with regret the resignation of Millard Billings as the Code Enforcement Officer and Local Plumbing Inspector. Bob 2nd. **Vote in favor was 3-0.** Selectmen briefly discussed Mr. Billings' performance and their appreciation for the job he has done since last July.

Stu said he spoke with assistant CEO Rick Gallegos who is willing to serve as the CEO. He said Mr. Gallegos has not yet received state certification, but has a year to achieve that. He said he is recommending that the Selectmen appoint Mr. Gallegos as the Code Enforcement Officer, contingent on certification within the 1-year period and that Michael Jordan is willing to serve as the interim Local Plumbing Inspector, which requires the LPI to be certified, which Mr. Jordan is.

Jo moved to appoint Edward "Rick" Gallegos as the Code Enforcement Officer, contingent on certification within 1-year, and that Michael Jordan be appointed as the Interim LPI. Bob 2nd. **Vote in favor was 3-0.** (Following adjournment of the meeting, Selectmen signed the appointment papers).

Technology Committee Recommendations – Stu reported the Technology Committee met the previous evening and made several recommendations as follows:

- Meet with officials from Trenton and Hancock to get the ball rolling on franchise agreement renewals with Time Warner to discuss goals prior to contacting an attorney to negotiate.
- Wire the school gym with three cameras and audio cables to a switching point behind the principal's office for a PEG channel. The school committee would be contacted to give final approval and then the wiring company contacted for possible work this summer.
- Search for a replacement CTV operations manager, authorizing Stu to make recommendations to the Board of Selectmen, as the current CTV manager has never showed up to work. Stu said he has a couple of candidates in mind.
- Let Stu use discretion in regard to updating the computers in the building to the Windows 10 operating system in light of the fact that the clerk's computer automatically updated and is now not playing well with the rest of the network. Stu said he hoped to have a computer recommendation by next meeting.

There were no objections to the recommendations.

Mediation Date – MacQuinn et al vs. Town of Lamoine – After a brief discussion, the Selectmen chose July 8, 2016 as the preferred mediation date. Stu plans to attend, and at least one of the Selectmen hopes to attend.

Pole Permit – Gary moved to approve a pole permit by rule application from Emera Maine on Asa's Lane. Bob 2nd. **Vote in favor was 3-0, Gary signed the application.**

Fire Department Rescue Boat – Stu reported the fire department has reached agreement to sell the rescue boat it purchased in 1998 for \$5,000 and the city council meets on Monday to give approval for that purchase.

Legislative Policy Committee Nomination – There were no names proposed to Maine Municipal Association's Legislative Policy Committee.

Road Opening Violation – Stu shared a letter he wrote as Road Commissioner to a Walker Road property owner who had installed two entrances without culverts, contrary to the permit that was issued for one entrance with a culvert.

Wikipedia Entry – Stu reported Kathleen requested this be postponed as she was unable to attend this evening.

Next Meetings – The board agreed to cancel the scheduled May 19, 2016 meeting and instead meet after the special town meeting on May 24th to transact business. Gary read the remainder of the meeting schedule:

- May 24, 2016 – Special Town Meeting, possibly followed by special Selectmen's meeting to sign MRC Joinder Agreement
- June 2, 2016 – regular meeting
- June 16, 2016 – 6PM Hodgkins Scholarship Committee, 7PM Regular meeting
- July 14, 2016

The date for the August meeting will be determined at a later date.

Other – John Holt requested who was in the running for Selectman on June 14, 2016. Stu reported Nathan Mason and Wanda Whitener had both turned in papers and will be on the ballots. He said absentee ballots will be available next week.

There being no further business, the meeting adjourned at 7:58 PM.

Respectfully submitted,

Stuart Marckoon, Adm. Asst. to the Selectmen